

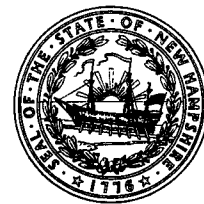


State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-2900 FAX (603) 271-2456

Please Note: *Effective September 1, 2003, the street address is 29 Hazen Drive*



June 30, 2004

NOTICE OF PAST VIOLATION

Hampshire Chemical Corporation
2 East Spit Brook Road
Nashua, NH 03060

Attn: Ms. Eileen Murley, Responsible Care Leader

**Re: Hampshire Chemical Corporation
Nashua, New Hampshire
EPA ID # NHD048724173**

Dear Ms. Murley:

The New Hampshire Department of Environmental Services, Waste Management Division ("DES") has documented a violation of the New Hampshire Hazardous Waste Rules Env-Wm 100-1100, based upon the review of a manifest used to transport hazardous waste from Hampshire Chemical Corp. ("Hampshire"). On March 29, 2004, DES received a copy of Uniform Hazardous Waste Manifest (Number NH H0061048), which details a shipment of hazardous waste (Formaldehyde) from Hampshire to Clean Harbors Deer Park ("Clean Harbors"), Laporte, Texas, as transported by Robbie D. Wood, Inc. ("Wood") and Clean Harbors. The manifest was originated by Hampshire on February 24, 2004 and identifies the delivery of the waste to Clean Harbors on March 4, 2004.

The following deficiency was documented:

Env-Wm 507.03 (c)(1)-Pre-transport

On February 24, 2004, Wood picked up and transported one (1) load of hazardous waste (Formaldehyde) from Hampshire using New Hampshire Manifest Number NH H0061048. Enclosed you will find a copy of the New Hampshire manifest used to transport the hazardous waste. Wood did not register as a transporter of Hazardous Waste with New Hampshire DES, prior to transporting the one (1) load of hazardous waste from Hampshire.

Env-Wm 507.03 (c)(1) requires that before transporting or offering hazardous waste for transportation off-site, the generator shall determine that the transporter possesses a current and valid New Hampshire hazardous waste transporter registration and has been issued an EPA identification number.

DES requests that in the future, before Hampshire offers hazardous waste for transport off-site, Hampshire will need to determine that the transporter possesses a current and valid New Hampshire hazardous waste transporter registration.


No further action related to the violation documented in this Notice of Past Violation ("NOPV") is required. A fine will be pursued for the violation documented in this NOPV.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff is available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM at 271-2942.

If you believe that the deficiency documented in this NOPV has been cited in error, or if you have any questions regarding this letter, please contact Linda Birmingham, Enforcement Manager or John J. Duclos, Supervisor of the Hazardous Waste Compliance Section at 271-2942. Thank you for your cooperation.

Sincerely,


Kenneth W. Marschner, Administrator
Waste Management Programs
Waste Management Division

cc: DB/RCRA/NOPV/RPB/Archives
Anthony P. Giunta, P.G., Director Waste Management Division
Gretchen R. Hamel, Legal Unit Administrator

E-mail: JJD

Enclosure: New Hampshire Manifest Number NH H0061048